IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CONTEMPT PETITION NO.100 OF 2005

Smt.Prabhavati Narahari Padey
and Ors. ..Petitioners

Vs.

Bank of Maharashtra ..Respondents

Mr.P.K.Hushing for the petitioners

Mrs.M.G.Kulkarni for respondent no.1 and 2

CORAM : A.M.KHANWILKAR, J
DATED : 15TH JUNE, 2006

P.C.:

1. Heard the counsel for the parties. The only grievance of the petitioners is that the direction given by this court in the order dt.13.2.04 in writ petition no.3614 of 1997, in so
far as petitioners are concerned has not been complied. The direction as stated in para 13 of the decision of this court is that the issue of interest after 1994, both by bank and the L.R.'s on delayed payment can be resolved by the parties.

2. In my opinion, it is not a direction given to the respondents to pay interest but to consider the request of the petitioners in that behalf for the period after 1994. If the respondents have not accepted the claim of the petitioners, it will be open to the petitioners to question the correctness thereof in appropriate proceeding, but surely, it is not a case of initiating Contempt proceeding. Petition dismissed.